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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Linns Valley School Water System, Water System No. 1502163

Attn: Kay Yarger, Superintendent
Linns Valley School
P. O. Box 399
Glennville, CA 93226

CERTIFIED MAIL

**CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS,
TITLE 22, SECTION 64426.1(b)(2) - WATER SYSTEM NO. 1502163**

September 2015

C I T A T I O N N O . 03-19-16C-007

Issued on January 20, 2016

STATEMENT OF FACTS

Linns Valley School Water System (hereinafter Water System) is classified as a non-transient, non-community Water System and serves a population of approximately 106 persons through four service connections.

The Water System operates under the authority of a domestic water supply permit (No. E-97) issued on July 17, 1984, by the Kern County Environmental Health Services Department. The Water System is currently under regulatory jurisdiction of the State Water Resources Control Board (hereinafter State Board), Division of Drinking Water.

1 The State Board will issue a new domestic water supply permit to the Water System as
2 workload allows.

3
4 The Southern California Drinking Water Field Operations Branch, Division of
5 Drinking Water (hereinafter Division), State Water Resources Control Board, is
6 responsible for enforcing the Safe Drinking Water Act and regulations promulgated
7 pursuant thereto. The Division of Drinking Water was transferred from the California
8 Department of Public Health to the State Water Resources Control Board, effective
9 July 1, 2014.

10
11 Section 116650 of the California Health and Safety Code authorizes the issuance of a
12 citation to a public water system for violation of the California Safe Drinking Water
13 Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with
14 Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit
15 or order issued or adopted thereunder.

16
17 The State Board, acting by and through its Division of Drinking Water and the Deputy
18 Director for the Division (hereinafter "Deputy Director"), hereby issues a citation to
19 Linns Valley School Water System (mailing address: P.O. Box 399, Glennville, CA
20 93226) for violation of California Code of Regulations (CCR), Title 22, Section
21 64426.1 subsection (b)(2).

- 22
- 23 • The Water System collects one (1) routine distribution system bacteriological
24 sample per month in accordance with its approved Bacteriological Sample
25 Siting Plan.
 - 26 • One (1) routine bacteriological quality sample collected on August 3, 2015,
27 from the distribution system, tested positive for total coliform bacteria.

- 1 • Three (3) repeat bacteriological quality samples collected on August 5, 2015,
2 from the distribution system, tested negative for total coliform bacteria.
- 3 • One repeat, as well as Ground Water Rule, bacteriological quality sample
4 collected on August 5, 2015, from Well 01 tested negative for total coliform
5 bacteria.
- 6 • The Water System was required to collect five (5) routine distribution system
7 samples for the month of September 2015.
- 8 • All five (5) routine samples collected on September 9, 2015, from the
9 distribution system, tested positive total coliform bacteria.
- 10 • **Linns Valley School Water System failed the total coliform maximum
11 contaminant level (MCL) for September 2015 [Section 64426.1(b)(2),
12 Authorities].**
- 13 • On September 11, 2015, Scott Moore of Seaco Technologies, Inc. informed the
14 State Board by telephone that the Water System failed the total coliform MCL
15 for September 2015.
- 16 • On September 10 and 11, 2015, the Water System provided emergency
17 disinfection and flushing of the distribution system.
- 18 • Three (3) special bacteriological quality samples collected on September 11,
19 2015, from the distribution system, tested negative for total coliform bacteria.
- 20 • One (1) sample collected on September 11, 2015, from Well 01, for
21 compliance with the Ground Water Rule, tested negative for total coliform
22 bacteria.
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- 1 • None of the samples collected in September 2015 showed the presence of
2 *E.coli* bacteria.
- 3 • On November 6, 2015, a public notice and *Certification of Completion of*
4 *Public Notification* were emailed to the Water System for the September 2015
5 total coliform MCL failure.
- 6 • On November 6, 2015, the State Board received signed and dated copies of the
7 *Certification of Completion of Public Notification* and the public notice.
8 According to these documents, public notification was completed on
9 November 6, 2015.
- 10 • On November 6, 2015, an investigation report was emailed to the Water
11 System, for the September 2015 total coliform MCL failure.
- 12 • On November 30, 2015, the State Board received a copy of the completed
13 investigation report. The investigation report was completed by Scott Moore.
14 According to the investigation report, a possible cause of contamination may
15 have been due an opening in the top of the new 10,000-gallon welded steel
16 tank of the Water System. This opening was later sealed.
- 17 • Five (5) routine bacteriological samples collected on October 5, 2015, from the
18 distribution system, tested negative for total coliform bacteria.
- 19 • One (1) routine bacteriological sample collected on November 2, 2015, from
20 the distribution system, tested positive for total coliform bacteria.
- 21 • All four (4) repeat bacteriological quality sample collected on November 4,
22 2015, from the distribution system, tested negative for total coliform bacteria.
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- 1 • One (1) repeat as well as Ground Water Rule, bacteriological quality sample
2 collected on November 4, 2015, from Well 01 tested negative for total coliform
3 bacteria.
- 4 • None of the samples collected in November 2015 showed the presence of
5 *E.coli* bacteria.
- 6 • Five (5) routine bacteriological samples collected on December 8, 2015, from
7 the distribution system, tested negative for total coliform bacteria.
- 8 • One (1) bacteriological quality sample collected on December 8, 2015, from
9 Well 01 tested negative for total coliform bacteria.
- 10 • Results of all (source and distribution) bacteriological samples collected from
11 January 2015 to December 2015 are summarized in **Attachment A**.
- 12 • The State Board staff has noted that all routine and repeat bacteriological
13 quality samples collected since June 1, 2015, from the distribution system,
14 show presence of chlorine residual ranging from 0.02 to 2.19 mg/L (see
15 **Attachment A** for more details). Based on a review of the Water System's
16 file, the Water System is not currently permitted to provide any treatment.
- 17 • On January 23, 2016, the State Board staff sent emails to Mr. Scott Moore and
18 the Water System, to determine the reasons for presence of chlorine in the
19 bacteriological quality samples. Based on a phone conversation held on
20 January 15, 2016, with Mr. Moore, he stated that following the total coliform
21 MCL failure in September 2015, he learned that the Water System had
22 replaced its old galvanized steel tank with a new 10,000-gallon welded steel
23 tank, but did not notify Seaco Technologies about this. He further stated that
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1 the tank was not properly disinfected and no bacteriological quality samples
2 were collected from the tank when it was placed in service.

- 3 • On the same day, the State Board staff had a phone conversation with Ms.
4 Starla Atkins from the Water System who responded that the new tank was
5 installed sometime in July 2015. She said that she would check on the
6 chlorination practice and respond back.
- 7 • Afterwards, on January 15, 2016, Mr. Russel Bigler, Management Analyst with
8 the Kern County Superintendent of Schools, contacted the State Board staff
9 and requested a meeting to discuss the chlorination issue. Mr. Bigler was
10 contacted by Ms. Atkins. The State Board staff met with Mr. Bigler on the
11 same day and described the ongoing practice of unpermitted chlorination
12 treatment. During the meeting, Mr. Bigler called Ms. Atkins to discuss the
13 issue who said that Charlie Bolender with the Water System was responsible
14 for adding chlorine.
- 15 • Based on a January 15, 2016, phone conversation that the State Board staff and
16 Mr. Bigler had with Mr. Charlie Bolender, Mr. Bolender stated that Steve
17 Horst (sampler from Seaco Technologies) instructed him to add chlorine into
18 the Water System's tank and he had been pouring chlorine into the tank on a
19 monthly basis, prior to collection of monthly routine bacteriological quality
20 samples.
- 21 • During the January 15, 2016, phone conversation with Ms. Atkins and Mr.
22 Bolender, the State Board staff directed the Water System to immediately
23 discontinue the practice of adding chlorine into the Water System's storage
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1 tank, flush the distribution system and when the chlorine residual is non-detect,
2 collect bacteriological quality samples from the storage tank and five routine
3 locations in the distribution system, during the month of February 2016.

- 4 • Since the Water System is not currently permitted to provide any treatment, the
5 Water System has violated the permitting requirements, stated under the
6 CHSC, by adding chlorine to the system since June 2015 [Section 116550,
7 *Authorities*].
- 8 • If the Water System decides to install continuous chlorination treatment, the
9 Water System will need to notify the State Board to obtain approval and submit
10 a permit amendment application for providing continuous chlorination
11 treatment.
12
- 13 • It is noted that the Water System installed a new storage tank in July 2015, and
14 did not notify the State Board about this and the new tank was not properly
15 disinfected under the supervision of a certified water treatment/distribution
16 operator. Also no bacteriological quality samples were collected from the
17 storage tank before placing the tank in service 2015 [Section 64582,
18 *Authorities*].
19

20 AUTHORITIES

21 Section 116550 of the CHSC, states in relevant part:

22 (a) "No person operating a public water system shall modify, add to or change his or her source of
23 supply or method of treatment of, or change his or her distribution system as authorized by a valid
24 existing permit issued to him or her by the State Board unless the person first submits an application to
25 the State Board and receives an amended permit as provided in this chapter authorizing the
26 modification, addition, or change in his or her source of supply or method of treatment."

27 Section 116577 of the CHSC, states in relevant part:

"(a) Each public water system shall reimburse the State Board for the actual costs incurred by the
State Board for any of the following enforcement activities related to that water system:

- (1) Preparing, issuing, and monitoring compliance with, an order or citation.
- (2) Preparing, and issuing public notification

...

(b) The State Board shall submit an invoice for these enforcement costs to the public water system that requires payment prior to September 1 of the fiscal year following the fiscal year in which the costs were incurred. The invoice shall indicate the total hours expended, the reasons for the expenditure, and the hourly cost rate of the State Board. The costs set forth in the invoice shall not exceed the total actual costs to the State Board of the enforcement activities specified in this section.”...

Section 116650 of the CHSC, states in relevant part:

“(a) If the State Board determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the State Board may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The State Board may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.”

Section 116655 of the CHSC, states in relevant part:

(a) Whenever the State Board determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:

- (1) Directing compliance forthwith.
- (2) Directing compliance in accordance with a time schedule set by the State Board.
- (3) Directing that appropriate preventive action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

- (1) That the existing plant, works, or system be repaired, altered, or added to.
- (2) That purification or treatment works be installed.
- (3) That the source of the water supply be changed.
- (4) That no additional service connection be made to the system.
- (5) That the water supply, the plant, or the system be monitored.
- (6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the State Board.

California Code of Regulations (hereinafter, CCR), Title 22, Section 64423, Table 64423-A establishes the minimum routine sampling requirements, and states in relevant part:

<i>Monthly Population Served</i>	<i>Service Connections</i>	<i>Minimum Number of Samples</i>
25 to 1000	15 to 400	1 per month
1,001 to 2,500	401 to 890	2 per month
2,501 to 3,300	891 to 1,180	3 per month
3,301 to 4,100	1,181 to 1,460	4 per month
4,101 to 4,900	1,461 to 1,750	5 per month
4,901 to 5,800	1,751 to 2,100	6 per month
5,801 to 6,700	2,101 to 2,400	7 per month
6,701 to 7,600	2,401 to 2,700	2 per week

<i>Monthly Population Served</i>	<i>Service Connections</i>	<i>Minimum Number of Samples</i>
7,601 to 12,900	2,701 to 4,600	3 per week
12,901 to 17,200	4,601 to 6,100	4 per week
17,201 to 21,500	6,101 to 7,700	5 per week
21,501 to 25,000	7,701 to 8,900	6 per week
25,001 to 33,000	8,901 to 11,800	8 per week
33,001 to 41,000	11,801 to 14,600	10 per week
41,001 to 50,000	14,601 to 17,900	12 per week
50,001 to 59,000	17,901 to 21,100	15 per week

CCR, Title 22, Section 64426.1 establishes the total coliform maximum contaminant level and states in relevant part:

"(a) Results of all samples collected in a calendar month pursuant to Sections 64423, 64424, and 64425 that are not invalidated by the State Board or the laboratory shall be included in determining compliance with the total coliform MCL. Special purpose samples such as those listed in 64421(b) and samples collected by the water supplier during special investigations shall not be used to determine compliance with the total coliform MCL.

(b) A public water system is in violation of the total coliform MCL when any of the following occurs:

- (1) For a public water system which collects at least 40 samples per month, more than 5.0 percent of the samples collected during any month are total coliform-positive; or
- (2) For a public water system with collects fewer than 40 samples per month, more than one sample collected during any month is total coliform-positive; or
- (3) Any repeat sample is fecal coliform-positive or E. coli-positive; or
- (4) Any repeat sample following a fecal coliform-positive or E. coli-positive routine sample is total coliform-positive.

(c) If a public water system is not in compliance with paragraphs (b)(1) through (4), during any month in which it supplies water to the public, the water supplier shall notify the State Board by the end of the business day on which this is determined, unless the determination occurs after the State Board office is closed, in which case the supplier shall notify the State Board within 24 hours of the determination. The water supplier shall also notify the consumers served by the water system. A Tier 2 Public Notice shall be given for violations of paragraphs (b)(1) or (2), pursuant to section 64463.4. A Tier 1 Public Notice shall be given for violations of paragraphs (b)(3) or (4), pursuant to section 64463.1."

CCR, Title 22, Section 64582 establishes the disinfection and bacteriological sampling of the distribution reservoirs and states in relevant part:

"A newly-installed distribution reservoir or distribution reservoir that has been taken out of service for repair or inspection shall be disinfected and sampled for bacteriological quality in accordance with the American Water Works Association Standard C652-02, which is hereby incorporated by reference. If the results of the bacteriological sampling are positive for coliform bacteria, the reservoir shall be resampled for bacteriological quality and the test results shall be submitted to the State Board for review and approval before the reservoir is placed into service."

DETERMINATIONS

Based upon the above *Statement of Facts and Authorities*, the State Board has determined that the Linns Valley School Water System has violated the following:

- 1 1. CCR, Title 22, Section 64426.1(b)(2); Specifically, the Water System violated
2 the total coliform MCL for September 2015, when more than one sample
3 collected in September 2015, tested positive for total coliform bacteria.
- 4 2. CCR, Title 22, Section 64582; Specifically, the Water System failed to
5 disinfect and sample the new tank after installation, according to the AWWA
6 Standard C652-02.
- 7 3. CHSC, Section 116550; Specifically, the Water System has been adding
8 chlorine since June 2015, thereby providing treatment without submitting a
9 permit amendment application, and without obtaining written approval from
10 the State Board.

11 The above violations are classified as non-continuing violations.

12 DIRECTIVES

13 Linns Valley School Water System is hereby directed to take the following actions:

- 14 1. Cease and desist from failing to comply with Section 116550 and Section
15 116555(a) of the California Health and Safety Code (CHSC), and Section
16 64426.1(b)(2) and Section 64582 of Title 22, California Code of Regulations.
- 17 2. The Water System shall immediately discontinue providing any treatment. By
18 **January 29, 2016**, the Water System shall submit a written response to the
19 State Board, providing explanation and extent of the unapproved chlorination
20 treatment that has been provided since June 2015 and steps that the Water
21 System has taken or plans to take to discontinue providing the treatment.
- 22 3. If the Water System decides to continue providing the chlorination treatment,
23 the Water System shall contact the State Board, obtain approval, and submit a
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1 completed permit amendment application to the State Board. The State Board
2 will then provide details of the requirements to install treatment. If and when
3 approved, the State Board will only allow providing continuous chlorination
4 treatment at the Water System's Well 01, instead of batch chlorination
5 treatment in the storage tank.

6
7 4. Before collecting the routine bacteriological quality sample(s) for the month of
8 February 2016, the Water System shall flush all chlorine out of the distribution
9 system and ensure that chlorine residual is non-detect in all parts of the
10 distribution system, including the 10,000-gallon storage tank. Afterwards, the
11 Water System shall collect bacteriological quality samples from the storage
12 tank and five routine locations in the distribution system.

13
14 5. In the future, the Water System shall notify the State Board before making
15 changes to its domestic water supply system, including addition/replacement of
16 storage tanks. By **January 29, 2016**, the Water System shall submit a
17 completed "Tank Data Sheet" and pictures of the storage tank to the State
18 Board, showing the tank's inlet, outlet, ladder, hatch, overflow, drain line, and
19 interior of the tank. A blank tank data sheet is provided as **Attachment B**.

20
21 6. Any document requested by the citation shall be submitted to the following
22 address:

23 Jaswinder S. Dhaliwal, P.E., Senior Sanitary Engineer
24 State Water Resources Control Board, Division of Drinking Water
25 4925 Commerce Drive, Suite 120
Bakersfield, CA 93309

26 7. The Water System shall reimburse the State Board, in accordance with an
27 invoice that shall be provided to the Water System, the costs for enforcement

1 activities, and such reimbursement shall be made prior to September 1 (or by a
2 different date if specified by the State Board) of the fiscal year following the
3 fiscal year in which such costs are incurred as described in CHSC Sections
4 116577(a)(1-2) and 116577(b).

5 **FURTHER ENFORCEMENT ACTIONS**

6 Section 116270, Chapter 4, Part 12, Division 104 of the CHSC authorizes the State
7 Board to: issue additional citations with assessment of penalties if a public water
8 system continues to fail or correct a violation identified in a citation; take action to
9 suspend or revoke a permit that has been issued to a public water system if the system
10 has violated applicable law or regulations or has failed to comply with orders of the
11 State Board; and petition the superior court to take various enforcement measures
12 against a public water system that has failed to comply with orders of the State Board.
13 The State Board does not waive any further enforcement action by issuance of this
14 citation.

15 **PARTIES BOUND**

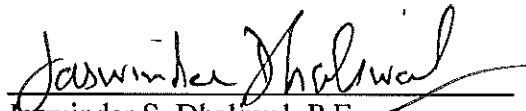
16 This citation shall apply to and be binding upon Linns Valley School Water System, its
17 officers, directors, agents, employees, contractors, successors, and assignees.
18

19 **SEVERABILITY**

20 The directives of this citation are severable, and Linns Valley School Water System
21 shall comply with each and every provision thereof, notwithstanding the effectiveness
22 of any other provision.
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CIVIL PENALTIES

Section 116650, subsections (d) and (e) of the CHSC allow for the assessment of a civil penalty for failure to comply with the requirements of the Safe Drinking Water Act. Failure to comply with any provision of this Citation may result in the State Board imposing an administrative penalty in an amount not to exceed one thousand dollars (\$1,000) per day as of the date of violation of any provision of this Citation.

<u>Jan. 20, 2016</u> Date	 Jaswinder S. Dhaliwal, P.E. Senior Sanitary Engineer Drinking Water Field Operations Branch
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Certified Mail No. 7015 1520 0000 4433 1570

ATTACHMENTS

Attachment A: Summary of Bacteriological Samples Collected from January 2015 – December 2015
Attachment B: Blank Tank Data Sheet

CC: Kern County Environmental Health Services Department (w/o attachments)
Scott Moore, Seaco Technologies, Inc. (via email)

JSD/dc

Attachment A

Linns Valley School

1502163

Distribution System Freq: 1/M

Sample Date	Time	Location	T Coli	E Coli	F Coli	Type	Cl2	Violation	Comment
1/5/2015	11:00	Classroom #1	A	A		Routine			
2/2/2015	13:06	Room #5	A	A		Routine			
3/2/2015	10:12	230 White River R	A	A		Routine			
4/1/2015	10:05	254 White River R	A	A		Routine			
5/5/2015	11:56	117 Dunlap Rd. H	A	A		Routine			
6/1/2015	11:23	Classroom #1	A	A		Routine	0.07		
7/1/2015	10:34	Classroom #5	A	A		Routine	0.04		
8/3/2015	14:10	230 White River R	P	A		Routine	0.02		
8/5/2015	11:55	230 White River R	A	A		Repeat	1.67		
8/5/2015	12:00	Girl's Bathroom	A	A		Repeat	1.13		
8/5/2015	12:06	Boy's Bathroom	A	A		Repeat	1.26		
9/9/2015	12:20	117 Dunlap Rd.	P	A		Routine	0.03		
9/9/2015	12:30	230 White River R	P	A		Routine	0.05		
9/9/2015	12:37	254 White River R	P	A		Routine	0.2	MCL	Citation 03-19-16C-007 Issued
9/9/2015	12:49	Classroom #1	P	A		Routine	0.14		
9/11/2015	8:58	254 White River R	A	A		Repeat	0.05		
9/11/2015	9:07	Girl's Bathroom	A	A		Repeat	0.01		
9/11/2015	9:11	Boy's Bathroom	A	A		Repeat	0.06		
10/5/2015	10:50	117 Dunlap Rd.	A	A		Routine	2.2		
10/5/2015	10:57	Classroom #1	A	A		Routine	2.16		
10/5/2015	11:04	Classroom #5	A	A		Routine	2.18		
10/5/2015	11:21	230 White River	A	A		Routine	2.2		
10/5/2015	11:27	254 White River	A	A		Routine	2.19		
11/2/2015	10:41	Classroom #1	P	A		Routine	0		
11/4/2015	14:10	Classroom #1	A	A		Repeat	1.75		
11/4/2015	14:30	230 White River R	A	A		Repeat	1.48		
11/4/2015	14:42	254 White River R	A	A		Repeat	1.67		
11/4/2015	14:55	117 Dunlap	A	A		Repeat	1.87		
12/8/2015	11:05	Classroom #1 (SF	A	A		Routine	2.18		
12/8/2015	11:09	Classroom #5 (SF	A	A		Routine	2.14		
12/8/2015	11:28	230 White River (A	A		Routine	2		
12/8/2015	11:37	254 White River (A	A		Routine	2.04		
12/8/2015	11:56	117 Dunlap Rd. (H	A	A		Routine	2.11		

Linns Valley School

1502163

Source Monitoring Freq:

<i>Sample Date</i>	<i>Time</i>	<i>Source</i>	<i>T Coli</i>	<i>E Coli</i>	<i>F Coli</i>	<i>Violation</i>	<i>Comment</i>
8/5/2015	12:23	Well 01/Repeat & GWR	A	A			
9/11/2015	9:27	Well 01 / Repeat & GWR	A	A			
11/4/2015	14:05	Well 01 / Repeat & GWR	A	A			
12/8/2015	11:15	Well 001 / Routine	A	A			

Attachment B

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

RESERVOIR DATA

(1) **System Name:** _____ **System No.:** _____
 (2) **Source of Information:** _____
Collected by: _____ **Date:** _____

(3) Number or Name:		
Date constructed:		
Purpose (storage, etc.):		
Capacity:		
(4) Location (specific):		
Controlled Access:		
Distance to: Sewer		
Sewage Disposal		
(5) Construction: Material:		
Sides:		
Floor:		
Cover or roof:		
Type of Interior Coating:		
Is interior Coating NSF Std. 61 approved?		
Height top of walls above ground:		
Surface drainage to res. possible?		
Ventilation:		
Screening:		
(6) Inlet & Outlet Arrangement:		
Inlet: Location:		
Distance above bottom:		
Outlet: Distance from inlet:		
Distance above bottom:		
Sample Tap on the Outlet Line? (specify):		
Drain to where:		
Overflow to where:		
Sewer or other hazardous connection (make sketch):		
Estimated max. residence time		
(7) Relation to system: Receives from:		
Delivers to:		
(8) Defects and Remarks: (Include statements on cleaning practices, condition of structure, overflow condition, etc.)		